

# UNITED STATES DISTRICT COURT

for the

Northern District of Texas

United States of America

v.

Richard Lee Kruse (1)

Charles Lee Kruse (2)

Defendant(s)

Case No.

2:18-MJ-168

CLERK, U.S. DISTRICT COURT

By

Deputy

NOV - 9 2018

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of unknown to September 5, 2018 in the county of Randall in the Northern District of Texas, the defendant(s) violated:

### Code Section

Title 18, United States Code,  
Section 2252A

### Offense Description

Certain activities relating to material constituting or containing child pornography.

This criminal complaint is based on these facts:

see attached affidavit in support of complaint.

☒ Continued on the attached sheet.

*[Signature]*

Complainant's signature

Keith Quigley, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 11-9-18

*[Signature]*

Judge's signature

City and state: Amarillo, Texas

Lee Ann Reno, United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF COMPLAINT**

**2:18-MJ-168**

1. My name is Keith Quigley. I am a Special Agent (SA) employed by the Federal Bureau of Investigation (FBI), United States Department of Justice, and I have been so employed for 20 years. I have been assigned to the Lubbock, Texas, Resident Agency since 1998. I have handled many investigations involving child exploitation and child pornography. As an FBI SA, I am authorized to investigate crimes involving the sexual exploitation of children in violation of Title 18, United States Code, Section 2252. Section 2252A(a)(5)(B) makes it a federal offense to knowingly possesses, or knowingly assesses with the intent to view, any book, magazine, periodical, film, videotape, computer disk, or any other material that contains an image of child pornography that contains an image of child pornography that has been mailed, or shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by means, including computer, or that was produced using material that have been mailed, or shipped or transported in or affecting interstate or foreign commerce by any means including computer. I am the case agent on a child sexual exploitation case in which Richard Lee Kruse and Charles Lee Kruse are the targets. In my training and experience, I have found that virtually all digital cameras constitute a means or facility of interstate or foreign commerce. They also use the Internet, a means or facility of interstate and foreign commerce.

2. On September 15, 2016, an Amarillo Police Department (APD) investigation was initiated after a 4 year old male, hereafter referred to as John Doe, made an outcry of

sexual abuse. Doe claimed his grandfather, identified as Richard Lee Kruse, had been sexually abusing him. Doe claimed Richard licked his penis.

3. On September 19, 2016, APD officers interviewed Richard. Richard denied licking Doe's penis and subsequently told officers he is going to have to find a lawyer.

4. On September 20, 2016, APD was advised Richard had attempted suicide.

5. On October 10, 2016, an arrest warrant charging Richard with aggravated sexual assault in violation of PC 22.021(A)(A) was obtained.

6. On October 17, 2016, Richard was arrested. Richard subsequently obtained a bond and is awaiting trial.

7. On the below listed dates, OCE-4586, an FBI Dallas Child Exploitation Task Force Officer, using an covert internet connection located in Plano, Texas, was working in an undercover capacity. OCE-4586 was operating software which was configured to be capable of receiving and recording evidence of the transfer of files from the BitTorrent network. OCE-4586 identified a computer with the below listed Internet Protocol (IP) address as a potential download candidate (source) for files that appeared to be related to the distribution of Child Pornography. The listed IP address had been previously associated with files of interest by law enforcement investigator(s) conducting searches or info-hash value searches over the BitTorrent network for files related to known or notable child pornography images/videos.

8. For a user to become part of the BitTorrent network, the user must first obtain BitTorrent software and install it on a device. When the Bittorrent software is running and

the device is connected to the Internet, the user will be able to download files from other users on the network and share files from their device with other BitTorrent users.

9. Users of the BitTorrent network wishing to share new content will use a BitTorrent program to create a "torrent" file for the file or group of files they wish to share. A torrent file is a small file that contains information about the file(s) and provides a method for a user to download the file(s) referenced in the torrent from other BitTorrent users. Torrent files are typically found as the result of keyword searches on Internet sites that host or link to them. Torrent files may be referenced by their "infohash," which uniquely identifies the torrent based on the file(s) associated with the torrent file.

10. To download file(s) from other users on the BitTorrent network, a user typically obtains a torrent file. The BitTorrent software processes the information in the torrent file and locates devices on the BitTorrent network sharing all or parts of the actual file(s) being sought. The download of the content referenced in the torrent is achieved after the requesting computer and the sharing computer(s) directly connect to each other through the Internet using the BitTorrent software.

11. During the below listed date/time ranges, OCE-4586 successfully caused the connection to the target computer at the listed IP address and was able to complete a download of files that the computer at this IP address was making available.

12. Subsequent to this download, a query on the IP address was conducted. OCE-4586 received information that the IP address is registered to SuddenLink.

13. An Administrative Subpoena was issued to this ISP and according to the response to this subpoena, during the times the investigations were conducted, the IP address was assigned to the following:

First Name: Charles

Last Name: Kruse

Address: 4107 Tulane Dr., Amarillo, TX 79109-5534

Phone(s): (806) 477-[XXXX]

14. On January 01, 2018, between 10:44 p.m. and 11:56 p.m., a download was successfully completed of 1 file that the device at IP address 50.26.57.80 was making available. The device at IP address 50.26.57.80 was the sole candidate for the download, and as such, each file was downloaded directly from this IP address. A description of one of the video files downloaded from this IP address follows:

Asian – pthc ( tied 8yo Cambodian boom-boom girl fucked + raped by sex-tourist )  
hussyfan.mpeg

This video depicts a naked pre-pubescent female (tied with duct tape around her wrists and calves) having genital-genital intercourse with an adult male. The video also depicts various sex toys being inserted to the pre-pubescent female's genital and anal cavity.

Some additional video files include the following:

- a. 13yo preteen underage teen sex. Pthc . 2.21.mpg
- b. Mandy 8Yo.avi
- c. Pthc Pedoland FriFam Viola 4-Foxy-Stop don't stop 012.avi

15. On August 22, 2018, a Texas Department of Public driver's license check revealed that Charles Lee Kruse is currently be residing at 4107 Tulane Drive, Amarillo, Texas 79109.

16. On August 27, 2018, a local water utilities check verified Charles Kruse is currently being serviced at 4107 Tulane Drive in Amarillo, Texas.

17. On 08/31/2018, a federal search warrant was obtained for Charles' residence located at 4107 Tulane Drive, Amarillo, Texas.

18. On September 05, 2018, at approximately 7:02 a.m., SA T. Scott Hendricks knocked at the front door of 4107 Tulane Drive to execute a search warrant. Doreen Krauss answered the door with dogs barking inside the residence. SA Hendricks suggested she put up the dogs and come back to the door. Doreen complied and returned to the door. SA Hendricks advised her a search warrant had been obtained for the residence. Doreen advised she and son, Charles Kruse, are the only individuals currently staying at the residence. Doreen advised Charles was currently not present. Doreen immediately called him and requested he return to the residence. Doreen also contacted her daughter, Jennifer.

19. After Charles arrived at the residence he was interviewed by Affiant and FBI Task Force Officer John Bentley. Charles subsequently provided the following information:

20. Charles resides with his mother Doreen Krauss and his step-father Dennis Krauss. Charles' biological father Richard Lee Kruse lives at the Casa De Warren apartments in Amarillo. Charles' half-sister Jennifer Krauss Linke also resides in Amarillo. Charles has been residing in this house for the past 10 years. Charles stated their Internet Service

Provider (ISP) is Suddenlink. Charles stated he has used various peer to peer file sharing programs including Bearshare, Limewire, Ares and BitTorrent. Charles advised he started using BitTorrent a year or two ago. Charles stated he uses his homemade desktop computer containing a 2TB slave drive (identified as a Black CPU "CPU.COM", serial number 538806 which was seized from Charles' bedroom during the search warrant).

21. Charles initially advised he did not have any child pornography on his computer, although he later admitted he has a 1GB "restored folder" that contains over 1,000 images/videos of child pornography on his computer. Charles stated he last looked at the folder yesterday and occasionally masturbates to child pornography. Charles stated the child porn images/videos range from 2 or 3 years old to adult.

22. Charles advised some of the search terms he used to access and view child pornography on BitTorrent were "young nude" and "PTHC". Charles stated "PTHC" stands for pre-teen hard core.

23. Affiant showed Charles a one page document reflecting titles of various downloaded media and torrent files (from UDL-2291 session) that occurred on January 01, 2018. Charles stated the titles shown on the sheet were indicative of titles he accesses and viewed.

24. Charles stated a number of the images/videos in the restored folder came from some thumb drives Charles took from his biological father Richard. Charles stated he took the thumb drives from his father's apartment after allegations came out that Richard had sexually assaulted Doe sometime in 2016. Charles stated he may still have some of

the thumb drives inside his residence. Charles stated he also personally saw some naked images of Jennifer's 4 year old child, although he deleted them.

25. Charles stated he never confronted his father about the thumb drives or images he saw. Charles also did not inform his sister Jennifer nor any other family member and did not report this to law enforcement.

26. On November 07, 2018, Affiant learned that the forensic analysis of Charles' "CPU.COM" desktop computer revealed he had thousands of child pornography images/videos on his computer. Additionally, sexually explicit images of a minor pre-pubescent male, believed to be Doe, appear to have been taken in front of Charles' computer desk in his bedroom. Specifically, one of the images was focused on the genital area of the minor without exposing his face. The image also shows his blue underwear pulled down just below his penis and he is wearing an Oklahoma State t-shirt. A thumb and an index finger (missing the tip) could also be seen around Doe's waist area. This image was retrieved from the recycled bin and does not contain a creation date.

27. Additional images of Doe sitting on the pool table, wearing the same Oklahoma State t-shirt were also located on the computer. Some of the forensic data retrieved from the Doe images show they may have been taken with a Nikon Coolpix S6100 or a Canon PowerShot A570 camera, although neither of these cameras were located during the search at 4107 Tulane Drive in Amarillo.



28. On November 8, 2018, Affiant spoke to Doreen who informed writer that Richard had previously sawed off part of his finger which he no longer has. Based on the above stated facts, I believe the hand in the picture belongs to Richard.

29. On November 8, 2018, Affiant obtained a copy of Richard's criminal fingerprint card relating to his October 17, 2016 arrest. The fingerprint card reveals that the tip of his left index finger appears to be missing. Affiant believes the same index finger is shown in the sexually explicit photo of Doe mentioned above.

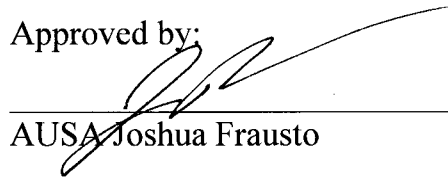
30. On November 8, 2018, Affiant obtained a copy of Richard's criminal fingerprint card relating to his October 17, 2016 arrest. The fingerprint card reveals that the tip of his left index finger appears to be missing. Affiant believes the same index finger is shown in the sexually explicit photo of Doe mentioned above.

31. For the reasons described above, I respectfully request that an arrest warrant be issued for the arrest of Charles Lee Kruse and Richard Lee Kruse for violating Title 18, United States Code, Section 2252A(5)(B), Possession of Child Pornography.



Keith Quigley  
Special Agent  
Federal Bureau of Investigation  
Lubbock, Texas

Approved by:



AUSA Joshua Frausto

Subscribed and sworn before me this 9<sup>th</sup> day of November, 2018.



LEE ANN RENO.  
UNITED STATES MAGISTRATE JUDGE